

CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT AND RESPONSE is being deposited with the United States Postal Service in an envelope with sufficient postage as Express Mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the following date:

May 20, 2005

Date

EL 494323312 US

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Courtney J. Miller  
Courtney J. Miller

#11  
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OFFICE OF PETITIONS

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Thomas J. Boyle	:	Examiner:	Davis D. Hwu
Serial No.:	09/989,783	:	Art Unit:	3752
Filed:	November 20, 2001	:	Attorney Docket:	30868 / 04000
For:	<b>METHOD AND SYSTEM FOR TESTING FOAM- WATER FIRE PROTECTION SYSTEMS</b>	:		

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**

**I. INTRODUCTORY COMMENTS**

Dear Sir:

This Amendment and Response is being filed in response to the non-final Office Action mailed by the Patent Office on January 13, 2003 in the above-captioned matter. This Amendment and Response is being filed contemporaneously with a "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b)" and is being filed within two months of the dismissal of the "Petition for Revival of an Application for Patent Abandoned

{CJM0457.DOC;1}

Amendment and Response to First Office Action

U.S. Serial No. 09/989,783

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Unavoidably Under 37 C.F.R. 1.137(a)", which was previously filed in the above-captioned matter. The earlier Petition, which was filed by the Applicant's former patent counsel, was dismissed by the Patent Office on March 22, 2005. Also included with this Amendment and Response is a "Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address." Because the present application was filed after June 8, 1995, no terminal disclaimer is included herewith. The Commissioner is hereby authorized to charge the petition fee of \$750.00 (small entity) **and any other required fee relating to the above-captioned matter** to Deposit Account: **03-0172** (Calfee, Halter & Griswold LLP) .